

103^D CONGRESS
1ST SESSION

S. 1553

To amend the National Labor Relations Act and the Labor Management Relations Act, 1947, to permit additional remedies in certain unfair labor practice cases, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 18 (legislative day, OCTOBER 13), 1993

Mr. SIMON introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the National Labor Relations Act and the Labor Management Relations Act, 1947, to permit additional remedies in certain unfair labor practice cases, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Labor Relations Rem-
5 edies Act of 1993”.

6 **SEC. 2. BOARD REMEDIES.**

7 Section 10(c) of the National Labor Relations Act
8 (29 U.S.C. 160(c)) is amended by inserting after the

1 fourth sentence the following new sentence: “If the Board
2 finds that an employee was discharged in violation of this
3 Act, the Board in such order shall (1) award back pay
4 in an amount equal to three times the employee’s wage
5 rate at the time of the unfair labor practice and (2) notify
6 such employee of the employee’s right to sue for punitive
7 damages and damages with respect to a wrongful dis-
8 charge under section 303 of the Labor Management Rela-
9 tions Act, 1947 (29 U.S.C. 187), as amended by the Labor
10 Relations Remedies Act of 1993.”.

11 **SEC. 3. COURT REMEDIES.**

12 Section 303 of the Labor Management Relations Act,
13 1947 (29 U.S.C. 187), is amended by adding at the end
14 the following new subsections:

15 “(c) It shall be unlawful, for purposes of this section,
16 for an employer to discharge an employee for exercising
17 rights protected under the National Labor Relations Act
18 (29 U.S.C. 158).

19 “(d) An employee whose discharge is determined by
20 the National Labor Relations Board under section 10(c)
21 to be a violation of this Act may sue therefore in any dis-
22 trict court of the United States without respect to the
23 amount in controversy, or in any other court having juris-
24 diction over the parties to recover compensatory and puni-

1 tive damages in addition to the back pay ordered by the
2 Board.

3 “(e) Nothing contained in section 8 or section 10 of
4 the National Labor Relations Act (29 U.S.C. 158), or in
5 this section shall limit the rights and remedies under any
6 State or Federal law or before any court or other tribunal
7 of an employee discharged by an employer.”.

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